

Fred W. Schwinn (SBN 225575)
CONSUMER LAW CENTER, INC.
12 South First Street, Suite 1014
San Jose, California 95113-2418
Telephone Number: (408) 294-6100
Facsimile Number: (408) 294-6190
Email Address: fred.schwinn@sjconsumerlaw.com

Attorney for Plaintiff
SUSAN RAE OWENS

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SUSAN RAE OWENS,

Plaintiff,

v.

ERICAL BRACHFELD, A PROFESSIONAL
CORPORATION, D/B/A BRACHFELD &
ASSOCIATES, P.C., D/B/A LAW OFFICES
OF BRACHFELD & ASSOCIATES, P.C., a
California corporation, and ERICA LYNN
BRACHFELD, individually and in her official
capacity,

Defendants.

Case No. C07-04400-JF-PVT

**MOTION FOR ATTORNEY
FEES AND COSTS**

Hearing Judge:	Honorable Jeremy Fogel
Hearing Date:	October 3, 2008
Hearing Time:	9:00 a.m.
Courtroom:	3, 5th Floor
Place:	280 South First Street San Jose, California

COMES NOW the Plaintiff, SUSAN RAE OWENS, by and through counsel Fred W. Schwinn of the Consumer Law Center, Inc., and hereby moves this Honorable Court for an award of reasonable attorney fees and costs pursuant to the Amended Judgment (Doc. 23) entered in this case. In support of her Motion, Plaintiff states the following:

1. Plaintiff herein was represented by Fred W. Schwinn of the Consumer Law Center, Inc.
2. On or about August 22, 2008, this Court entered an Amended Judgment in favor of Plaintiff in this case. The Judgment awarded Plaintiff the amount of \$2,100 plus reasonable attorney fees and costs incurred in representing Plaintiff in this matter.

1 3. Plaintiff's attorney, Fred W. Schwinn and his staff at the Consumer Law
2 Center, Inc., have expended 25.9 hours on behalf of Plaintiff in this matter. An itemized accounting
3 of the time spent is attached to the Declaration of Fred W. Schwinn in Support of Motion for Award
4 of Attorney Fees which is being filed herewith.

5 4. The prevailing market rate for the time and quality of services provided by
6 Fred W. Schwinn of the Consumer Law Center, Inc., is \$325.00 per hour.

7 5. The prevailing market rate for the time and quality of services provided by
8 Jovanna R. Longo of the Consumer Law Center, Inc., is \$125.00 per hour.

9 6. For the time spent representing Plaintiff in this matter, the Consumer Law
10 Center, Inc., requests attorney fees in the amount of \$7,057.50, non-taxable costs and expenses in
11 the amount of \$41.28 and taxable costs in the amount of \$458.00.

12 7. Plaintiff further refers the Court to her Memorandum in Support filed
13 simultaneously herewith.

14 WHEREFORE, Plaintiff requests this Honorable Court award attorney fees to Plaintiff in
15 the amount of \$7,057.50, reasonable non-taxable costs in the amount of \$41.28 in addition to taxable
16 costs in the amount of \$458.00.

17
18 Dated: August 29, 2008

CONSUMER LAW CENTER, INC.

19
20 By: /s/ Fred W. Schwinn
21 Fred W. Schwinn, Esq.
22 Attorney for Plaintiff
23 SUSAN RAE OWENS
24
25
26
27
28